GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Lands – APIIC Ltd - Allotment of land in the possession of APIIC for an extent of 256.61 Acs (233.87 + 22.74) at Parigi & Serikolem Villages, Parigi (M) and C.Kodigepalli & Kallumarri Villages, Madakasira (M), Ananthapuramu District to the Developer Company M/s.Beneficent Knowledge Park & Properties Limited – Orders - Issued.

INDUSTRIES AND COMMERCE (INFRA) DEPARTMENT

G.O.MS.No. 40 Dated: 12-02-2019

Read the following:

1.G.O.Ms.No.571, Rev (Assn.I) Dept., dt.14.09.2012.
2.G.O.Ms.No.497, Revenue (ASSN.V) Dept, dt.15.12.2016.
3.G.O.Ms.No.498, Revenue (ASSN.V) Dept, dt.15.12.2016.
4.G.O.Ms.No.523, Revenue (ASSN.V) Dept, dt.30.12.2016.
5.From the VC&MD, APIIC Ltd., Vijayawada Lr.No.LO-2/184/APIIC/Lands/ 2015, dt.10.02.2017.
6.Minutes of the meeting of the State Investment Promotion Board (SIPB) held on 13.06.2017.
7.From the VC&MD, APIIC Ltd., Vijayawada Single File No.850/APIIC /Projects/ BKPPL(Rassai)/2017 & Lr.dt.06.09.2017.
8.From the VC&MD, APIIC Ltd., Vijayawada Single File No.13114/APIIC/Projects /Beneficient(Rassai)/ATP/2015 & Lr.dt.14.06.2018

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ORDER:

In the references 2nd to 4th read above, orders were issued for alienation of the following extents of lands in favour of APIIC subject to the following conditions in addition to the conditions under BSO-24 and G.O.Ms No.571, Revenue (Assn-I) Dept., dt.14.09.2012: i) The land shall be utilized for the purpose for which it is allotted within three years of the orders of alienation; ii) The District Collector, Ananthapuramu shall be the authority to cancel and resume the land from the alienee for violation of conditions as well as for non utilization of land; iii) The water bodies if any existing in the land should not be disturbed and should be allowed to continue their natural course; and iv) The existing roads/ rastas should not be disturbed:

(i) For an extent of Ac.44.05 cents in Sy.No.451-1A etc of Parigi Village & Mandal, Ananthapuramu District in favour of APIIC on payment of Basic Value @ Rs.3.00 Lakhs per Acre as per G.O.Ms.No.155 Revenue (Assn.I) Dept.dt.19.04.2016 for establishment of Industrial Park/Multi product SEZ.

(ii) For an extent of Ac.23.11 cents in Sy. No.447-2 etc of Kallumarri Village in Madakasira Mandal, Ananthapuramu District in favour of APIIC for establishment of Industrial Park/Multi product SEZ on payment of Basic Value @ Rs.65,000/- per Acre.

(iii) For an extent of alienation of land to an extent of Ac.20.90 cents in Sy. No.434-2A etc of Serikolam Village in Parigi Mandal, Ananthapuramu District in favour of APIIC on payment of Basic Value @ Rs.3.00 Lakhs per Acre for establishment of Industrial Park/Multi product SEZ.

2. In the reference 5th read above, the Vice Chairman & Managing Director, A.P. Industrial Infrastructure Corporation Ltd., Vijayawada has submitted that M/s.Beneficent Knowledge Park & Properties Ltd., (earlier called M/s.Rassai Properties & Industries Ltd) vide their Lr.dt.06.12.2016 has requested for alienation of subject land in their favour on the grounds that for the Patta lands to an extent of 1,392.00 Acs purchased by them over the subject area, they have fully paid the statutory fees and obtained SEZ approval to an extent of 916.00 Acs for establishment of multi services vide Gezette Notification No.658, dt.23.04.2009 of MoCI, GoI. Since the purchased lands are not having contiguity they approached APIIC for alienation of assigned lands coming in the way and paid Rs.3.00 Crores to APIIC as EMD in 4/2008 and admitted an American Co., as 51% holding partner to strengthen their financial stability.

3. The issue was taken up in the SIPB in its meeting held on 13.06.2017 and the "SIPB discussed the proposal in detail and decided that the balance eligible land shall be transferred to the BKPPL without insisting for APIIC equity in the Project, imposing the condition that the BKPPL will not transfer/use the land for the purpose other than the Industrial use and subject to withdrawal of the W.P.No.28724/2011 filed by the Company."

(P.T.O.)

4. In the reference 7th read above, the Vice Chairman & Managing Director, A.P. Industrial Infrastructure Corporation Ltd., Vijayawada has further submitted that the Developer Company in their request, dt.31.08.2017 while furnishing the final DPR prepared by Cushman & Wakefield has stated that the clean patta lands purchased by them to an extent of 1,650.00 Acs in the year, 2006 already converted to non Agriculture status. The reason for seeking Govt assigned lands is for contiguity and they have paid Rs.3.00 Crores in 2008 to APIIC to avoid affecting the Master plan due to these parcels. Once they get the parcels of 256 Acs of Govt land the entire area will be designed specifically for an Industrial Park which will be divided into DTA and some SEZ depending on Industry coming. Hence the amount of Rs.3.00 Crores paid will be the part of their Industrial park for the land to be given by APIIC and will be used for Industrial purpose with some manufacturing industries, some service industries & some residential for industry employees. They have already set up (2) Industries creating the 3,500 jobs but cannot create a proper planned development because of contiguity and they are willing to with draw the court case, as decided in SIPB Meeting held on 13.06.2017 for allotment of 256.61 Acs by APIIC for development of Mega Industrial Park. The Developer Company therefore requested the Govt to issue necessary orders to allot the alienated land in favour of M/s.Beneficent Knowledge Park & Properties Ltd., as per APIIC regulations considering the land cost fixed by the Dist Collector since, the Co., is ready to with draw the court case and promised to utilise the alienated land for the industrial purpose. Accordingly, the developer Company has furnished an Undertaking, dt.26.09.2017 stating that "in case of GoAP releases assigned land of 256.61 Acs in their favour, the Company will withdraw the case filed against APIIC. They submitted the undertaking under free will to enable the Court of A.P. to consider their request for allotting the assigned land of 256.61 Acs at Parigi & Serikolem Villages of Parigi (M) and C.Kodigepalli & Kallumarri Villages of Madakasira (M), Ananthapuramu Dist for Industrial purpose." The Developer Company in their further requests, dt.30.11.2017 & 07.03.2018 and in response to a demand notice, dt.27.11.2017 of APIIC issued to them for payment of Rs.2,16,13,580/- which includes the exgratia & alienation cost of Rs.1,40,32,080/-, has stated that in their case the alienation orders are received during 2016 & 2017 based on which APIIC has requested the Govt to allot the Govt land on free of cost with retrospective effect. Though the amount of Rs.3.00 Crores already paid to APIIC the final allotment is still pending. Due to delay in allotment of assigned lands their Foreign partners are getting frustrated and threatening to exit out of the Project. Therefore, due to the urgency & sensitive situation they are going ahead with the full payment of Rs.2,16,13,580/- with a protest and understanding that the moment the Govt orders are issued to APIIC the amount of Rs.1,40,32,080/- will be funded back to them since, they are unable to start their Project in other State and trying to keep their investor in A.P. Further, they have requested the APIIC as well as the Govt, for execution and direct sale deed of the subject land and have completed all the formalities and their American partner is expecting a clear title deed of the Company and accordingly requested the Govt to permit them to execute the sale deed & stamp duty exemption instead of sale Agreement as they awaited for more than (10) years now and it is difficult to them to keep their foreign investors committed & make progress. The Company has therefore requested the Govt to expedite in processing of positive Govt order in favour of APIIC in allotting the land at free of cost with retrospective effect.

5. In the reference 8th read above, the VC&MD, APIIC Ltd., in his further proposal has submitted that the Revenue Dept has fixed the land cost for 256.61 Acs at Rs.3,96,61,700/- in various GOs for which APIIC has already deposited Rs.4,04,32,080/- with the Dist Collector and the Company has also paid the total land cost with process fee @ Rs.2,500/- per Acre as per APIIC Rules under LA for others including GST, totalling to Rs.5,16,13,500/- and the possession was handed over to APIIC by Revenue Authorities on 24.02.2018. As the extent is more than 50.00 Acs and requires Govt approval for allotment as per G.O.Ms.No.571 of Rev Dept and also in view of SIPB decision, dt.13.07.2017, the orders of Govt were sought in the matter vide Lrs.dt.06.09.2017 & 29.04.2018. Since the Company has requested for the sale deed directly instead of sale Agreement duly exempting the stamp duty, Govt has to decide the issue for such allotment as per APIIC Regulations. The VC&MD, APIIC Ltd., has therefore requested the Govt to examine the proposal and to issue necessary orders in the matter.

6. In terms of G.O. 1st read above, the matter was placed before the Secretaries Committee held on 17.07.2018. The Committee has recommended (a) to forward the application of M/s.Beneficent Knowledge Parks & Properties Ltd., (BKPPL) for allotment of 256.61 Acres of land, as per APIIC terms & conditions, to the cabinet for necessary approval and (b) to initially execute sale agreement and sale deed post implementation of the project, as per the APIIC land allotment regulations.

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7. Government, after careful consideration of the matter hereby order for allotment the land in possession of APIIC to an extent of 256.61 Acs (233.87 + 22.74) at Parigi & Serikolem Villages of Parigi (M) and C.Kodigepalli & Kallumarri Villages of Madakasira (M), Ananthapuramu District to the developer Co., M/s.Beneficent Knowledge Park & Properties Ltd., subject to condition that the BKPPL will not transfer/use the land for the purpose other than the Industrial use and subject to withdrawal of the W.P.No.28724/2011 filed by the Company.

8. The Vice Chairman & Managing Director, A.P. Industrial Infrastructure Corporation Ltd., Vijayawada shall take further necessary action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

S.SOLOMON AROKIARAJ
SECRETARY TO GOVERNMENT & CIP

To
The Vice Chairman & Managing Director, A.P. Industrial Infrastructure Corporation Ltd.,
H.No.12B, 59A-8-12B, Guru Nanak Colony Road, Teacher's Colony, Vijayawada-520008.

Copy to:

The Commissioner of Industries, A.P., Government Regional Printing Press, Mutyalampadu, Vijayawada.
The G.A. (Cabinet) Department, A.P. Secretariat, Velagapudi. (with reference to U.O.No.165/2019, dt.11.02.2019.)
The P.S. to Principal Secretary to C.M. (GSP), A.P. Secretariat, Velagapudi.
The P.S.to Secretary to Government & CIP, Ind & Com Department.
SF/SC.

//FORWARDED BY: ORDER//

SECTION OFFICER